

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

With the correspondence between the Secretary of State and Don Justo Sierra, the representative of Yucatan, called for by a resolution of the Senate.

MAY 5, 1848.

Read, and ordered to be printed.

WASHINGTON, May 5, 1848.

To the Senate of the United States:

I communicate, herewith, a report from the Secretary of State together with the correspondence "between the Secretary of State and Don Justo Sierra, the representative of Yucatan," called for by the resolution of the Senate of the 4th instant.

I communicate also additional documents relating to the same subject.

JAMES K. POLK.

The Secretary of State, to whom was referred the resolution of the Senate of the 4th instant, requesting the President to communicate to the Senate all the correspondence between the Secretary of State and Don Justo Sierra, the representative of the government of Yucatan, if not incompatible with the public interest, "has the honor to lay before the President the papers mentioned in the subjoined list, which are translations of all notes from Mr. Sierra or his government to this department, and a copy of all notes from the department to him, (excepting those inviting him to personal interviews,) not communicated with the President's message to Congress of the 29th ultimo.

The Secretary of State would respectfully observe that portions of Mr. Sierra's note of the 15th February, 1848, and the whole of his note of the 24th February, 1848, are of such a character that it was considered doubtful whether, at this time, they ought to be published. Copies of them, although prepared, were not trans-

mitted to Congress with your message of the 29th ultimo, upon the request of Mr. Sierra himself, after consultation with that gentleman.

JAMES BUCHANAN.

To the PRESIDENT OF THE UNITED STATES.

List of papers accompanying the report of the Secretary of State to the President, of the 5th May, 1848.

Mr. Sierra to Mr. Buchanan, translation,	November 17,	1847.
Mr. Buchanan to Mr. Sierra,	"	" 19, "
Credentials of Mr. Sierra,	"	July 27, "
Mr. Sierra to Mr. Buchanan,	"	December 27, "
The same to the same,	"	February 15, 1848.
The same to the same,	"	" 24, "
The same to the same,	"	March 3, "
Mr. Appleton to Mr. Sierra,	"	April 18, "
Mr. Sierra to Mr. Buchanan,	"	" 21, "

Mr. Sierra to Mr. Buchanan.

[Translation.]

WASHINGTON, November 17, 1847.

MOST EXCELLENT SIR: Having been commissioned by the government of the State of Yucatan, near that of the United States, I arrived yesterday at this capital, bearing a despatch from my government for your excellency. I accordingly pray you, most respectfully, to be pleased to appoint a day and hour at which I may present myself in person before your excellency, to offer my respects, and to fulfil the special duty with which I am charged by the government of Yucatan.

I have the honor to offer to your excellency the assurances of my distinguished consideration.

JUSTO SIERRA.

To the Hon. J. BUCHANAN,
Secretary of State.

Mr. Buchanan to Mr. Sierra.

DEPARTMENT OF STATE,
Washington, November 19, 1847.

SIR: I have the honor to acknowledge the receipt of your note of the 17th instant, announcing your arrival in this city and requesting the appointment of a time for you to visit me. In reply,

I have the honor to state, that I shall be happy to see you at this department at 12 o'clock on Monday next, the 22d instant.

I have the honor to be, very respectfully, your obedient servant,
JAMES BUCHANAN.

To Señor Don JUSTO SIERRA, &c., &c., &c.

From the Executive Chief of Yucatan to the Secretary of State of the United States.

[Translation.]

GOD AND LIBERTY.

MERIDA, July 27, 1847.

SIR: In a note which I had the honor to address to you, dated the 28th of December last, I stated and showed, by the relation of facts, the political situation of this State, and its former and present relations with the government of Mexico; in order to prove that, without taking part in the war in progress between the latter republic and the United States, Yucatan observed a real and positive neutrality; and I at the same time commissioned Don Jose Resira to make to your government, under the authorization and instructions which should be given to him, the proper explanations, to the effect that Yucatan might be considered as a neutral State, as you offered to the commissioner to consider her according to his communications in giving an account of the result of his agency, when he returned to the Peninsula, supposing his commission to be terminated.

Under these circumstances, the neutrality promised has been observed and continues to be observed; but this government, desiring and complying with the uniform desire of the most excellent Council of State, expressed on the 8th of April last, has appointed Don Justo Sierra, to proceed in the special character of a commissioner and agent from this State, to the United States and its government, and to make the proper explanations, and promote, agreeably to his instructions, whatever may be of reciprocal interest, placing in your hands the present communication, in order that you may, in virtue thereof, and of the credentials of his appointment, yield entire faith and credit to his representations, and to whatever he may offer and promise, in the name of the State and government of this country; hoping that the government of the United States, will receive this agent with the consideration of which its enlightenment leaves no doubt. I have the honor to present to you my respects.

DOMINGO BARRET.

JOAQU. Y. REJON,

Mr. Sierra to Mr. Buchanan.

[Translation.]

WASHINGTON, December 27, 1847.

SIR: I have the honor to acknowledge the receipt of the note addressed to me by you on the 24th instant, informing me of the President's resolution on the points which I submitted, in the name of my government, to the determination of the Government of the United States. I hope, most confidently, that Yucatan will yet receive that justice to which she is entitled, and will be relieved from the burthen imposed upon her, by the occupation of one of her most important ports for the exportation of woods; an article which forms a great portion of the wealth of the country. I have communicated the resolution above mentioned to my government; and, at present, in order to prevent any difficulty or obstacle, which may otherwise appear, I send you, herewith, a list of the products of the soil and industry of Yucatan, copied from official documents of authority, which I have in the archives of the commission. I pray you, sir, in consideration of this list, to have proper orders given to the authorities charged with their execution, so that difficulties may not arise in the beginning, which may render useless and delusive the resolution of the government, with regard to the national and industrial productions of Yucatan.

I have also the honor to send you the official documents (*expediente*) relative to the claim of the citizen of Yucatan, Don Jose Jesus Cotaya, whose difficulties have arisen chiefly from the accumulation of all the powers in the hands of one individual; thus leaving no appeal whatever to the person aggrieved. The bases of this claim are set forth in the petition of Cotaya, at the end of which will be found the decision of the governor of Laguna, who rests his determination principally on special regulations independent of the general regulations made by the Treasury Department. I most particularly request your attention to this point, not so much on account of the smallness and insignificance of the omission which led to so heavy a penalty, as because the individual has been reduced to beggary by the determination of the governor of Laguna. If there had been any courts, to which Cotaya might have presented himself to sustain his rights, he would no doubt have done so; but this is exactly one of those great inconveniences which result from the military occupation of Laguna.

I renew to you, sir, the assurances of my distinguished consideration and respect.

JUSTO SIERRA,
Commissioner of Yucatan.

To the Hon. J. BUCHANAN,
Secretary of State.

Mr. Sierra to Mr. Buchanan.

[Translation.]

COMMISSION OF THE GOVERNMENT OF YUCATAN,
NEAR THAT OF THE UNITED STATES,
Washington, February 15, 1848.

SIR: I have the high honor to address myself again to the Hon. Mr. Buchanan, in conformity with orders and instructions which I have just received from my government, in order to present to the government of the United States some new considerations, whose value and importance I cheerfully submit to the wise and prudent consideration of the Secretary, not doubting, for a moment, that he will properly appreciate them.

Through the special favor of Divine Providence, the odious spirit of faction, which, for some time past, has disturbed the public mind, has disappeared entirely from Yucatan; and all the citizens, menaced by a common peril, have sincerely rallied around the constitutional government, offering their cordial and loyal co-operation and aid in sustaining the only policy at present possible in that country. Noble and philanthropic, liberal and broad is the political principle which has ever been dominant in Yucatan. Our constitution and our laws have secured to the indigenous race the same identical rights which they give to all the other citizens. Our policy has always been to alleviate the social condition of the Indians; improving it by civil and religious instruction, and spreading among them all the benefits of civilization, in the same way, and to the same extent, as our means and resources permitted us to do in behalf of our own race. Many of them have thus been called into public life, who have succeeded in throwing off the brutal stupidity which has been, and is, their characteristic. And so well has the object of this policy been attained, in one point of view, that we have finally made ourselves the mark of the hatred, the envy, and the savage ferocity of the eastern Indians, who have declared against us a war of extermination, perpetrating upon the defenceless inhabitants of that region, acts of assassination, robbery, incendiarism, and all kinds of excesses, unfit to be described from their horrible nature, and the wounds they inflict upon the moral condition of a Christian people.

If, Mr. Secretary, there exists any occult and mysterious power, which, nourishing a deep and ancient hatred to the sacred cause of those American countries, who are endeavoring to cast off the yoke of European dependance, are engaged either directly or indirectly in fomenting revolt among the Indians of Yucatan, I will not venture to assert the fact, upon my own responsibility, although such is my conviction, in consequence of not having any instructions from my government on the subject. But there are some circumstances of which it is superlatively important that the government and people of the United States should be apprised; occupying, as they do, the vanguard of freedom and civilization of the American nations, and bound, as they are, from the immense

power which they possess, to prevent the catastrophe, to prevent Yucatan from becoming the prey of rebellious savages.

The honorable Secretary, who is conversant with diplomatic annals, knows by what series of abuses and robberies the British colony of Belise succeeded in establishing itself upon the shores and territory of Yucatan. The weakness or impotency of the first Spanish government, and, subsequently, the neglect and culpable heedlessness of the general government of the Mexican, patiently tolerated the successive invasions of that colony, until it is now the mistress and tranquil possessor of the richest and most fertile parts of the peninsula of Yucatan. In the outset it only obtained temporary permission to establish a species of factory, but now it is a vast depository of contraband, which annihilates Yucatan, and invades the States of Tabasco, Chiapas and Guatemala. Day by day these men are penetrating to the very heart of the peninsula, and obtaining, in the interior, the amplest, the most extensive, and withal the most fraudulent relations. Their power and despotism have reached such a pitch that when the authorities of Yucatan have attempted, by the lawful exercise of their rights, to repress these encroachments, the association of smugglers at Belise have had the audacity to insult and menace the government in the most insolent and brutal manner.

In the year 1841 the English schooner *True Blue* was surprised *in flagrante*, whilst disembarking, upon the coast of Yucatan, a valuable contraband cargo. The fact was so clear and certain as to be beyond the shadow of doubt, and the extremely moderate and penal laws of the country were applied to the vessel and cargo. Well, a few days after the occurrence, the English sloop-of-war *Comus* came into the harbor of Visal, and Mr. Patrick Walker (the same who for some years past has discharged the singular commission of keeping up the farce of the kingdom of the Mosquitoes) notified the government of Yucatan, peremptorily, that within the space of a few hours the value in hard money, at his arbitrary estimate, of the vessel and cargo, which had been confiscated, must be delivered to him, under pain of bombarding and destroying Visal, if the demand were not complied with, or the least delay occurred; and he forthwith seized two or three vessels belonging to Yucatan, which happened, at that moment, to be in port. The first resolve of the government of Yucatan was to resist so outrageous a demand; but it found no support, in any strong power, for the protection of its rights.

The government of Mexico was then waging against us a most cruel and unjust war; it had declared our vessels pirates, and the English brig-of-war *Serpent* had come expressly into the waters of Campeachy, from those of Vera Cruz, to make a similar notification; announcing to us that it would capture them in consequence. A nation not well known to strangers, and, it may be, not very justly appreciated by them, Yucatan was not certain of meeting with sympathy from any foreign power. Alone, unsupported, reduced to its own proper resources, it would have been rash for it to resist a power which employs its strength according to

any other rules than those of morality. It submitted, therefore, to that unheard of extortion, and Mr. Walker returned to Belise, after giving us the most serious warnings for the future; and the civilized world beheld and listened to so odious an outrage with indifference.

In the year 1841, it was said and repeated, both in the journals of Yucatan and Mexico, that, since the year 1836, there existed a secret treaty between the English and Mexican governments, by which the two Californias, and the State of Yucatan, were hypothecated for the payment of the English debt, England to take possession of those countries after a certain lapse of time. The official journal never denied or contradicted this statement, which, on the contrary, was corroborated by several incidents, not the least important of them being the authorization granted by the Mexican government to a certain Irishman, individually, to colonize an immense quantity of square miles in the Californias, the extent of which, not now precisely in my recollection, embraced nearly the whole of those provinces.

Moreover, Mr. Secretary, taking all the resources of the public property of the State into account, hardly can it now furnish arms and munitions to the troops engaged in fighting the savages. In order to make head for the public defence, the legislature has been compelled to make extraordinary appropriations, which the suffering people of the country can with the utmost difficulty bear. For a long time previous, the Indians had been deprived of their fire-arms, in order to impede the continuance of this infamous war. All the powder and munitions, which are being, or which have been, introduced through the ports of Yucatan, have no other object or end than the repression of these savages. These antecedents being supposed, is it not a matter of surprise to see all those numerous hordes of barbarians well armed and provided, and harassing us with a causeless and obstinate war—a war in which powder, (English,) and muskets, and fowling pieces, (some of them from the manufactory of the tower of London,) are the principal resources of the enemies of our race? All wonder, however, will cease, when it is known that the revolted Indians have had, and still have, very frequent communication with the British establishments at Belise. Notwithstanding all this, and perhaps in consequence of it, there are not wanting those in Yucatan who deem it absolutely necessary that the country, to avoid total extermination in this ever increasing strife with the savages, should submit to British power, and solicit its aid and protection, now that re-union with Mexico seems to be so impossible.

Upon all these matters, I do not venture to ask the Hon. Mr. Buchanan for any reply or resolve. I make a simple enumeration of actual facts, to which, I think, the government and people of the United States should not be indifferent, because they are intimately connected with the future destiny of the American nations. These facts may serve as a basis for a more circumspect examination, which may result in some definite conclusion. Let me add, for the information of the secretary of the government, that the

existence of these facts has been strongly operative in delaying the final declaration of the absolute independence of Yucatan, and, as these motives are accumulating every day, it would not be at all strange if this important declaration should suffer for this delay. Several disenchantments have rendered the Yucatan people more cautious and circumspect.

The following is the point upon which, in the name of my government, I request a clear and definite resolve. Commodore Perry, in his last visit to Yucatan, notified the government, through the American consul, albeit in an informal manner, that, if the introduction of cocoa and other natural and manufactured products of Tobasco into Yucatan, were allowed, he, in the exercise of his discretionary authority, would take such measures as might weigh very heavily on the country.

After the immense damage resulting to us from the military occupation of Laguna, by which the government is deprived of the resources of that port of entry; after the payment of duties or imposts to which we have been subjected in our very domicils, notwithstanding our neutrality in the present war; and after, in fine, the imposition upon our citizens of regulations which certainly do not protect individual property, no redress whatever being open to the injured party, now come the threats of the commodore to multiply the embarrassments of the government of Yucatan, and heap difficulty upon difficulty to a point which might endanger the pacific relations with the United States, the preservation of which is so much desired by the people of Yucatan. My government, for the very reason that it sincerely and earnestly desires the cordial continuance of those relations, cannot and should not pass those menaces by, and it directs me to bring them forthwith to the knowledge of the government of the republic, with a few explanations concerning the matter, in order to prevent an unfortunate and unexpected result.

Although Yucatan was once a State of the Mexican confederation; it is so no longer, because, in the exercise of its inherent sovereignty, it separated itself from Mexico; and it is not probable that it will ever become so again, as there are great and potent obstacles, in the very nature of things, which will doubtless prevent a re-union. Immense complications have deferred the period when Yucatan may assume a determined character, as a nation and people independent *de jure*, although it is so *de facto*; and this fact is certainly disconnected from the war which now exists between Mexico and the United States, as it was anterior to it, having had its commencement many years since, and its consummation on the 1st of January, 1846. We need not speak of the unfortunate decree of August 25th of the same year, for that decree remained altogether without effect, in consequence of the formal sanction which was given by the people to the contrary principle. Meanwhile, the fact has continued and still continues unalterable.

Yucatan, by virtue of this position, has asked from the United States the recognition of its neutrality in the present war, and has obtained it. Call this indulgence, protection, assistance, or any-

thing else, certain it is that it was an act of rigorous justice on the part of the United States, who were not certainly to treat with severity a people that had not offended them in the least, which sincerely desired their friendship, which had shaken off the yoke of the nation with which they were at war, and which, above all, wished a breathing spell after so many and such protracted sufferings occasioned by our war with Mexico. The government of the United States could not, in truth, have wished to complicate its policy and divide its attention, by making war upon an inoffensive people which had in no way provoked it, and which, on the contrary, was soliciting its sympathies.

Although Yucatan, through the sophisms and abstruse speculations which are wont to be employed for the purpose of mystifying equity and justice, be not a neutral power in the strict sense of the word, as it is not an independent nation by acknowledgment, its right is yet not the less certain and unquestionable to be treated and considered as a neutral power, when it is so in fact, and when this fact has been recognized and accepted by one of the belligerent parties; and Yucatan has in its favor and aid the formal recognition of the United States.

Yucatan, therefore, is a neutral country, and should so be treated. This appears to me to be logical, and, moreover, in complete conformity with the principles upon which the present war has been made by the government of the United States. Every extortion and violence against Yucatan would be alien to its object; would be both a useless and an unjust act.

My government, accordingly, solicits, through my intervention, to be treated in harmony with these principles; asks that, now and forever, every prejudice may be abandoned which, perchance, exists against the people of Yucatan, who would cultivate such friendly and loyal relations with the United States. It wishes that those who are entrusted with the execution of the orders of the government of the United States may be given so to understand; that some restriction, in a word, should be placed upon those discretionary faculties, of which so much is said, and which are like the sword of Damocles over that unfortunate country, involved as it now is in such embarrassments and difficulties, notwithstanding the fact of its being the most industrious, the most enlightened, and the most liberal of the States that formed the old Mexican confederation; and which, on that account, is, perhaps, the one destined to commence the great political and social revolution which, sooner or later, is to be operated throughout northern America.

The threats of the commodore, which indicate his prepossessions against Yucatan, doubtless from sinister information given to him, have begun to produce their unhappy effects. I have recently been in the city of New York, and I there learnt that many Yucatan merchants, who had commissioned their correspondents to send them arms and munitions, had given counter orders a short time since, from the fear that some American vessel of war might fall in with those articles, destined for the sacred object of resisting the savages, and capture them, as means about to be furnished to Mex-

ico; for such is the strange apprehensions of those who are making a war upon Yucatan, which, though a silent one, is working pernicious results.

The theory on which is founded the right of neutrals has always been accepted and upheld, as its own, by the government of the United States. When the Berlin and Milan decrees, and the English orders in council, were issued, the government of the republic openly resisted that attack upon its neutrality, and at last engaged in the war, which was declared against England on the 18th of June, 1812. The well known antecedents of that just declaration I have seen extensively and wisely presented in the eloquent confidential message which the illustrious President, James Madison, sent to the legislative body on the 1st of June of the same year—1812. I make bold, Mr. Secretary, to invoke, in the name of my government, those principles in behalf of the free State of Yucatan, which has not hesitated an instant to undergo every description of sacrifice to sustain with honor and fidelity the neutral position in which it was its duty to place itself, during the contest between the two great republics of the north. And I say this without reserve, because I do not suppose that the mind of the honorable secretary has been at all affected by any of those senseless calumnies which some of the papers of the country have allowed themselves to utter against the noble and loyal conduct of that government, which thoroughly fulfils all the obligations imposed upon it by neutrality; confounding, as they do, the isolated and insignificant efforts of a few factions, which have ceased to exist, with the proper, discreet, and becoming policy which my government and the people of Yucatan have observed in the present grave and delicate crisis.

The United States possess all the power and all the means sufficient for rendering the blockade of Tabasco effective, and severely chastising the breakers of it, whether Yucatanese or not; and to chastise and repress those who violate it is certainly their right, which no power can dispute. But I do not see what is the arrangement, or where it may be found established, by which Yucatan can be compelled to prohibit the importation into its country of the productions of Tabasco—since it is not conformable to the principles of neutrality—since the government of the United States has never given any notification of the sort to that of Yucatan—and since, also, with the military occupation of Laguna, the means of preventing that traffic have been neglected. If, in fine, the government of the United States, from a conviction of the rectitude and good faith of that of Yucatan, should consent to the evacuation of Laguna and its dependencies, whose productions are of the utmost importance to the latter, whilst they are not of the least consequence to the former, then Yucatan will submit at once to all the new disadvantages of its position in regard to Mexico, which, when peace is made, will, without any doubt, turn all its wrath and animosity against Yucatan.

But whilst such a state of things remains unchanged, I do not see why Yucatan should be treated with severity and rigor by trampling upon all her rights of neutrality, as Commodore Perry

assumes to do. Let the government of the United States appoint a commissioner and special agent to examine, in good faith, and with conscientiousness, the real situation of that country. Let that commissioner be a man who is familiar with its language and customs, as well as with the old pretensions of Mexico upon Yucatan, and I am confident that the prejudices which now exist will immediately cease. This would be the best mode of arriving at the truth of the facts, and of other circumstances besides, which are not less important for the policy of the United States. I pray Mr. Buchanan to give his attention to this measure, which I presume to suggest, not because I entertain the extravagant pretension of suggesting or indicating any steps to him, well known as are his experience and wisdom in public affairs; but because I am animated by the liveliest desire that the question of Yucatan should be better investigated and understood, in order that the full justice to which it is entitled may be done to that country, and especially that it may be protected against the aggressions of the savages.

I limit myself now, to asking of Mr. Buchanan, 1st. That the neutrality of Yucatan may be communicated to all the authorities dependent upon the government of the United States. 2d. That all the principles which constitute the right of neutrals may be observed towards that country. 3d. That, in accordance with them, the notifications which Commodore Perry has given to the government of Yucatan may be looked upon as non-existent, and as never made. And 4th. That, as Yucatan is in need of armaments and munitions of war for its defence against the aggressions of the savages, no impediments may be thrown in its way in the importation of these articles.

Will the honorable secretary here permit me, also, to remind him of the affair of St. José Jesus Cotoya, which I presented to his consideration in my note of the 24th December, ultimo.

I deeply regret to distract the attention of the honorable Mr. Buchanan from the vast, grave, and complicated matters which now demand it, and trust that he will have the goodness to excuse me, accepting again the profound respect and consideration with which I repeat that I am his obedient servant,

JUSTA SIERRA.

To Hon. JAMES BUCHANAN,
Secretary of State.

Mr. Sierra to Mr. Buchanan.

[Translation.]

COMMISSION OF THE GOVERNMENT OF YUCATAN
NEAR THAT OF THE UNITED STATES,
Washington, February 24, 1848.

SIR: I did not think I should again interrupt the honorable secretary in his vast labors before learning the determination of the

government of the United States in regard to the different matters which I had the honor of bringing before it in my note of the 15th instant. But some unexpected circumstances have occurred which compel me to take this step, in pursuance of orders and particular instructions from my government. I beg, therefore, the Hon. Mr. Buchanan to pardon me, acting, as I am, solely from a sense of imperative duty.

Various rumors have been in circulation, during the last few days, in reference to a treaty of peace between Mexico and the United States, and even the terms of the treaty have been stated. As long as these rumors remained within the sphere of rumor, I did not think it opportune or expedient to make the voice of Yucatan heard in a matter which, for that unfortunate country, is a question of life and death, and to which, therefore, it is not and cannot be indifferent; but as it now appears to be certain and indubitable that this treaty exists, and has been sent to Washington to receive the proper ratification, the time seems to me to have arrived to raise the voice of Yucatan before the government and people of the United States, in order to protest in due form against such a treaty. Whatever may be the estimation or attention conceded to this protest, my conscience dictates the obligation of making it and submitting it to the government of the republic.

I will not stop to reflect that there does not exist in Mexico a constitutional government; that the republic is in a state of utter dissolution; that it is divided among factions which, in their phrenzy and delirium, are struggling for the last spoils of the country they have dishonored and debased; that the national representative has not been heard; it neither having been assembled in Congress nor chosen by the will of the people, nor been considered in the business at all. I will not either remark, as this will be better deliberated upon by the government of the United States, that a peace, made hastily with a power which possesses no authority or commission for the purpose, is not only null, and cannot, therefore, remove a single one of the difficulties which exist between the two republics, but, moreover, that it will become a fresh source of disturbance and calamity of every description; that the bases and foundations of this peace are weak, because the wish of the nation not having been consulted, it is more than probable that it will not deem itself bound to sustain the arrangement, especially when the immediate consequence of it will be the enthroning of a military faction which will again involve Mexico in the eternal circle of troubles, disorders, and violence to which it has been subjected for more than twenty-five years, until the monarchical principle may be established as the principle of government, and a foreign prince invited to be the master of the nation. No, Mr. Secretary, I will not stop to make any of these observations, because the people of Yucatan, having resumed their sovereignty for the purpose of securing their material interests—political interests—are deprived, to a certain extent, of the right of interfering in the affairs of Mexico. This question, besides, is to be exclusively de-

cided by the United States, and no one has a right to meddle with it.

But a treaty, in which there is no stipulation in regard to Yucatan, will, undoubtedly, be the utter ruin of my State. In the present war, it has exhibited and sustained a neutral character; that is to say, in conformity with the ideas of the Mexican government, it has been its enemy and the ally of the foreigners who have made this war on it. Yucatan expressly refused to contribute men and money in aid of Mexico during the struggle. Yucatan has preserved its friendly relations with the United States, in the firm and sure hope that this nation, after the conclusion of the contest, would not treat it with contempt, would not abandon it and deliver it over, bound hand and foot, to Mexico, to be sacrificed to the rage of the latter. The Hon. Mr. Buchanan is already aware that the people of Yucatan will not crouch servilely before any peril, however grave. They have, already, at a former glorious epoch, overcome their oppressors and dictated peace; but after all that they are now suffering with the war of the savages, and with the intrigues and machinations of the secret enemies of the cause of the American nations, a conflict with Mexico, without being supported and protected by a solemn guaranty and by a powerful nation, will be the signal of its inevitable destruction. Who knows whether, from this day, the faction which governs the most unfortunate Mexican nation will act by itself alone, or will seek abroad a firm support and a more secure protection? In such a case, the condition of Yucatan will be infinitely more afflicting, and that country will have no resource to which it can turn.

If an absolute government may or probably must be egotistical, such a vice should certainly not stain a republican nation founded on principles noble, popular, and philanthropic. And how can the United States fail to admit the sacrifices made by a nation bound to it by the ties of brotherhood, and solely because it is weak and powerless, in comparison, leave and abandon it to its own fate, so that an implacable enemy should maltreat and perhaps destroy it? Is this compatible with the justice of a liberal government, or the generosity of a free and magnanimous nation?

I well know, sir, that the advantages of peace, of that inestimable gift of peace, are of the highest importance, especially for a nation which should not aspire to be a conqueror; that in great transactions between two powers, they disappear under the considerations of a secondary character; and that most frequently, in treaties of peace, the weaker nations are sacrificed and considered as nothing. The first of these considerations is the more moral; and the latter probably the more politic. But this latter is eminently unjust, odious, and scarcely explicable even in the old European system, where the people have been accounted as cattle. The great and powerful nation of the United States might well establish its international jurisdiction on a base more broad, just, and liberal, without fear of losing any part of its power and importance by observing a principle so conformable with the spirit of its institutions.

I leave for the wisdom of the Secretary of State and the justice of the national government, the extension of these ideas. A treaty of peace, in which Yucatan is not freed from the fury of the mandarines of Mexico, on account of its conduct in the present war, or is not left at liberty to seek for admission as a free and sovereign State in the vast confederacy of the United States, which it most ardently desires as most advantageous for it; a treaty of peace containing no provisions of this nature is, I repeat, eminently prejudicial to Yucatan, which cannot and ought not to see itself thus sacrificed without at least uttering a cry of complaint, without taking some measure to demand justice.

For these reasons I protest, in the name of my government and of the people of Yucatan, against the terms of this treaty; and I demand that in any event the lot of Yucatan should be assured in it.

I repeat, to the Hon. Mr. Buchanan, the assurances of my high respect and consideration, and have the honor to be, &c.,

JUSTO SIERRA.

To the Hon. JAMES BUCHANAN,
Secretary of State.

Mr. Sierra to Mr. Buchanan.

[Translation.]

COMMISSION OF THE GOVERNMENT OF YUCATAN,
Washington, March 3, 1848.

SIR: I again importune the honorable Mr. Buchanan, as the sad condition of Yucatan becomes daily more critical and truly desperate, suffering as it does treatment most inexplicable. I entreat most earnestly the secretary to employ a moment in reading these short lines; and I pray him, in the name of justice and humanity, to obtain from the government of the United States the order for some measure respecting the affairs of Yucatan. That country is suffering all the horrors of a war of extermination, brought against it by the barbarous Indians, secretly instigated by a foreign hand. It needs arms and ammunition for its defence; it prays for those arms and ammunition from the commerce of the United States, although they might be obtained easily and cheaply at Belise; and yet difficulties of all kinds are placed in its way. The collector of New York has notified Messrs. Bouchard and Theband, merchants of that city, that he regards the ports of Yucatan as Mexican ports, and that his conduct should be governed accordingly. So that those gentlemen find it impossible to ship ten or twelve thousand pounds of powder, which have been ordered by Yucatan to repel the aggressions of the savages.

In virtue of this same understanding, the collector has steadily and expressly refused to allow the privilege of drawback on foreign goods shipped for the ports of Yucatan. If such measures be sus-

tained, the commerce formerly authorized between this country and Yucatan will be reduced to nothing, as it is impossible to make up a cargo composed exclusively of productions of the United States. In fine, is Yucatan neutral or not? If she be neutral, why is she treated as an enemy?

I do not write more at length in order that the brevity of this note may induce the Secretary to read it. It is most urgent that these grievances be remedied, and that the progress of these evils be arrested, which my unfortunate country is suffering without support on any side; and I once more most earnestly entreat you to have the proper orders given for arresting these evils.

Accept, sir, once more, the assurances of my respect and high consideration with which I remain, sir, your most obedient servant,
JUSTO SIERRA.

To the Honorable J. BUCHANAN,
Secretary of State.

Mr. Appleton to Mr. Sierra.

DEPARTMENT OF STATE,
Washington, 18th April, 1848.

SIR: Your note of this date, and those of the 7th March and 3d instant, have been duly received. The attention of Mr. Buchanan to them shall be requested immediately upon his return from Pennsylvania.

I have the honor to be, sir, very respectfully, your obedient servant,

JOHN APPLETON,
Acting Secretary.

To Señor Don JUSTO SIERRA.

Mr. Sierra to Mr. Buchanan.

COMMISSION OF YUCATAN,
At Washington, April 21, 1848.

SIR: I have this moment received the enclosed paper from the government of Yucatan. I comply with my duty in sending it to the honorable Secretary of State, and I earnestly entreat him, at least, to acknowledge its receipt.

I repeat to the honorable Secretary, the assurances of my entire respect and esteem.

JUSTO SIERRA.

To the Hon. SECRETARY OF STATE,
Of the United States.

CUSTOM-HOUSE, NEW YORK,
Collector's Office, March 2, 1848.

SIR: Application is made at this office to clear a vessel for Sisal, in Yucatan, with an assorted cargo, some of which is powder. I propose to clear the vessel.

Messrs. Bouchaud and Thebaud, however, claim to enter certain merchandise for export to Sisal by this vessel, with benefit of drawback. This I have declined to allow, and at their suggestion have consented to submit the question, whether debenture on goods exported to Sisal is allowable?

Your early reply is respectfully requested, as the vessel will not probably sail for a few days to come, thus affording ample time for the parties to act on your instructions in the premises.

I am, sir, very respectfully,

C. W. LAWRENCE.

The Hon. R. J. WALKER,
Secretary of the Treasury.

TREASURY DEPARTMENT,
March 10, 1848.

SIR: In reply to your letter of the 26th instant, I have to inform you that a clearance may be granted to the vessel therein referred to, for Sisal, Yucatan, subject to the conditions stated in the accompanying extract from orders given to Commodore Perry, by the Secretary of the Navy, if she carries gunpowder, or other articles contraband of war. No drawback can be allowed on merchandize exported to ports in Yucatan.

Very respectfully, &c.,

McC. YOUNG,
Acting Secretary of the Treasury.

C. W. LAWRENCE, Esq.,
Collector of the Customs, New York.

Extract of a despatch addressed to Commodore Perry, dated March 8, 1848.

"The President has heard with regret of the ferocious and murderous conflict now raging between the Indians and whites of Yucatan. I am happy to hear of your contemplated visit, and hope that you will be able, by your presence, to exert a favorable influence in checking the advance of the Indians toward the towns and villages on the sea coast. An application has been made to the department, and another by Mr. Sierra to the President, to allow a shipment of gunpowder to enable the whites to defend themselves, in their war with the Indians, to be landed at Sisal. I enclose you a copy of my answer. No authority can be given from

the department to land articles contraband, without a knowledge of its necessity, and without satisfactory assurance that it will be applied exclusively to that object. But humanity requires that the importation should not be prevented, if you shall be satisfied that the powder is not to be used for other or hostile purposes towards us. If, when the vessel called the "Mary Ann" shall appear off the coast, the Indians shall have been defeated and dispersed, and in your opinion the powder should not be landed, you will not subject the vessel to any penalty or forfeiture, but will allow her to retire without landing that part of the cargo. If the contest still rages, and you are satisfied that the powder will not be used against us, you will interpose no impediment to its being landed at Sisal."

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J. Y. MASON.

